



OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Forest and Agriculture Department

Notification

1-34-73-FSH/Vol. II

Whereas the draft of certain rules which the Lieutenant Governor proposed to make in exercise of the powers conferred by sub-section (1) read with clauses (a) and (c) of sub-section (3) of section 6 of the Indian Fisheries Act, 1897 (Central Act 4 of 1897) was published as required by sub-section (6) of section 6 of the said Act, at pages 588 to 594 of the Official Gazette, Series I, No. 44 dated 1-2-1979 under the Notification of the Government of Goa, Daman and Diu in the Forest and Agriculture Department No. 1/34/73-FSH/Vol. I dated the 22nd January, 1979, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of thirty days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 1-2-1979;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 6 of the Indian Fisheries Act, 1897 (Central Act 4 of 1897) and all other powers enabling him in this behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules, namely:

PART I

Preliminary

1. *Short title, extent and commencement.* — (1) These rules may be called the Goa, Daman and Diu Fisheries Rules, 1981.

(2) They shall extend to the whole of the Union territory of Goa, Daman and Diu.

(3) They shall come into force at once.

2. *Definitions.* — In these rules, unless the context otherwise requires, —

(a) "Captain of Ports" means the Captain of Ports, Government of Goa, Daman and Diu;

(b) "Director" means the Director of Fisheries, Government of Goa, Daman and Diu;

(c) "fishing stake" or "stake" or "fishing net" or "fishing gear" means any trap or such other contrivance for catching fish either fixed in the soil or river bed or made stationary in any other way in a creek, canal, river, stream water course or sea;

(d) "form" means a form appended to these rules;

(e) "Government" means the Government of Goa, Daman and Diu;

(f) "inland water" means a creek, river, canal, stream or other water course where fishing is possible and includes stationary water collected in a paddy field or khazan land in which fishing is possible and also includes the sea along the coast of the Union territory of Goa, Daman and Diu upto a distance of 5 kms. from the coast;

(g) "Mechanised fishing" means fishing by a boat which uses mechanical power for actual fishing operation;

(h) "registered net" means a fishing net registered under these rules.

PART II

Fishing in Inland Waters

3. *Prohibition of fishing in inland waters.* — (1) No person shall take fish in inland waters with a net operated from a mechanised boat.

(2) If any person is found taking fish in inland waters with a net operated from a mechanised boat, the net alongwith the mechanised boat shall be confiscated by the Director or any other officer authorised by the Government in this behalf which shall be without prejudice to the penalty which may be imposed under rule 14.

(3) The Director or any officer authorised by the Government may carry out the patrolling of the inland water to detect any violation of the rules. While taking action under sub-rule (2) against the violators, if any damage is caused to the fishing nets, skiffs or boats including accessories and fixtures thereof, neither the Government nor the officer carrying out patrolling shall be liable for such damage.

(4) The mechanised boats belonging to the Central or State Governments for carrying out experimental or exploratory fishing or survey operations are exempted from the provisions of sub-rule (1).

(5) A person may take fish in inland waters by net operated from a non-mechanised vessel after obtaining a licence from the Director as provided in sub-rule (1) of rule 11.

PART III

Fishing Stakes

4. *Erection of stakes.* — (1) No person shall erect a fishing stake without obtaining permission under rule 6.

(2) No person shall shift or alter the location of any stake or reduce or increase the number of interspaces thereof without the prior permission of the Director.

(3) If any person contravenes any of the aforesaid provisions, the Director or any other officer authorised by the Government in this behalf, shall be competent to forfeit to the Government the stake poles, fishing nets or any other fishing gear found to have been used for the aforesaid act and the person doing such act shall also be liable for the fine under rule 14.

(4) The fishing stakes which are in operation on the date of coming into force of these rules and which have been registered under any law in force shall be deemed to have been erected in accordance with the provisions of these rules.

5. *Condition for grant of permission.* — All licences granted for erecting fishing stakes shall be subject to the following conditions, namely: —

(i) no obstruction is caused in a locality usually used for the exploration of fish with small drag nets or on the banks of shell fish or within 100 metres from the bank and also to the other normal fishing activities, if any;

(ii) the location is not within a distance of 500 metres from any existing net of stakes;

(iii) no obstruction is caused to navigation in the water and location of the fishing stakes is not within the normal navigational channel of the water;

Explanation. — Where the navigational channel in the water is not clearly demarcated, the part of such water which is deeper or otherwise convenient for navigation shall be deemed to be the "navigational channel";

(iv) the location of fishing stake is not within the waters reserved or traditionally used for anchorage of crafts and boats;

(v) no formation of sand or silt deposit on the bed of the inland water is caused;

(vi) signals/lights shall be displayed at the ends of the fishing stakes as per the instructions issued by the Captain of Ports from time to time; and

(vii) the licensee shall comply with such technical requirements as the Director or the Captain of Ports, may from time to time determine.

6. *Procedure for obtaining permission for erecting fishing stakes.* — (1) A person intending to obtain permission for erecting fishing stakes in any inland water shall make an application to the Director in Form "A" and shall deposit with him an amount of Rupees three hundred to meet the expenses of advertisement of the notices to be issued under sub-rule (3).

(2) On receipt of such an application and the deposit, the Director shall satisfy himself, after consulting the Captain of Ports, that the location of the fishing stakes proposed to be erected by the applicant conforms to the conditions specified in rule 5.

(3) Thereafter, the Director shall publish a notice in Form "B" in at least three local newspapers inviting objections, if any, from the members of the public, to the proposed grant of permission for the erection of fishing stakes, within fifteen days from the date of the publication of the notice in the newspapers.

(4) After considering the objections, if any, received within the aforesaid period and after holding such further enquiry as he deems necessary, the Director shall decide whether the permission for erecting fishing stakes should be granted or rejected.

(5) Where the Director decides to grant the permission, the same shall be granted in Form "C" to the person who had applied for such permission on payment of a fee of Rs. 5/-.

(6) On receipt of the permission under sub-rule (5), the permit holder shall erect the stakes in accordance with the conditions subject to which such permission has been granted, within a period of one month or such further period as may be specified by the Director.

(7) If the stakes are not erected within the period specified in sub-rule (6), the permission shall be deemed to have lapsed and the Director shall be free to grant the permission to any other person to erect the stakes in accordance with these rules.

(8) The Director shall refund to the applicant, the balance amount if any, from the amount deposited under sub-rule (1) after meeting therefrom the expenses incurred by him for the publication of the notice under sub-rule (3).

(9) When the stakes are erected, they shall become the property of the Government and no person shall remove, disturb or in any way damage the same.

7. *Grant of lease or right of fishing by means of stakes.* — (1) The lease or the right of fishing by means of stakes erected under the permission granted under rule 6 or deemed to have been granted under rule 4, shall be given for a period not exceeding three years by holding public auction:

Provided that where a co-operative society, all the members whereof are persons who personally carry out the various operations of fishing at the stakes, applies for lease of such fishing rights, the same may be granted without holding a public auction. However, the co-operative society shall not be

granted the above benefit in case of the newly erected stakes, but it may participate in the public auction thereof.

(2) For the purpose of holding public auction under sub-rule (1), the Director shall issue a public notice in the Official Gazette as well as in the local newspapers giving the following particulars, namely:—

- (a) location and site of the fishing stakes;
- (b) the upset annual rent;
- (c) the period for which the fishing right is being auctioned;
- (d) the particulars as to whether the auction is being held for the first time after the erection of fishing stakes; and if so, the expenses on advertisement paid under sub-rule (8) of rule 6 by the person who erected the fishing stakes; and
- (e) the place, the time and the date of holding the auction.

(3) Whenever the auction of fishing rights is held for the first time after the erection of the fishing stakes, the person who erected the fishing stakes shall be issued an individual notice inviting his attention to the public notice, a copy of which shall be appended to the notice and he shall be called upon to remain present at the auction either personally or through the authorised agent.

(4) In the auction for lease or right of fishing by means of stakes erected under sub-rule (6) of rule 6, the annual upset rent per interspace shall be decided by the Director.

(5) On the date and time fixed for the auction, the Director or any officer authorised by the Government in this behalf, shall hold the public auction and shall record in writing the proceedings of such auction.

(6) When the auction for lease of the right of fishing by means of stakes is held for the first time after the erection of the fishing stakes, and when the person who erected the fishing stake is present at the time of auction and is not the highest bidder, the officer holding the auction shall first call upon such person, to state whether he is willing to take the lease or right of fishing at the highest bid, received in the auction and, if he is so willing, to call upon him to deposit on the spot one third of the amount of highest bid with the officer conducting the auction. If such person is not willing to take the lease or right of fishing or fails to make the deposit as aforesaid, the highest bidder shall be called upon to make the deposit as aforesaid and also of the amount specified in clause (d) of sub-rule (2).

(7) If the highest bid offered is more than the upset annual rent, the auction proceedings shall be confirmed by the Director and thereupon the lease of the right of fishing by means of stakes shall be granted to the highest bidder or, as the case may be, to the person who erected the fishing stakes, for the period for which the auction has been held and the amount specified in clause (d) of sub-rule (2), if required to be deposited by the highest bidder under sub-rule (6), shall be paid to the person who erected the fishing stakes.

(8) Where a co-operative society referred to in the proviso to sub-rule (1) applies for the grant of lease of the fishing stakes, the Director shall, after making such enquiry, as he may deem necessary, grant the lease for a period not exceeding three years to such society on such rent which shall be the average of the rent obtained for the stake during a period of six years immediately preceding the lease. If the average of six years is not available, the Director may fix such rent as he may deem just and reasonable:

Provided that before such lease is granted, the society shall be required to deposit with the Director, an amount equivalent to one third of the rent, so fixed:

Provided further that where the lease of the fishing at the stake is being given for the first time after the erection of stakes and when the person erecting the stake is other than such society, the society shall be required to pay to the person who erected the stake, the expenses of advertisement paid by him under sub-rule (8) of rule 6 and the fee paid by him under sub-rule (5) of rule 6.

(9) When there is only a single bidder present for the auction of stake and the person who erected the fishing stake is also present but does not bid, the stake may be allotted to the said erector of stake in the first instance at the minimum upset price specified in the auction notice irrespective of the fact whether the bidder is an individual or a co-operative society.

(10) Where any stake locality is not auctioned for lack of bidders, the same shall be advertised again after reducing the upset annual rent by one fifth and if still there is lack of response, similar reduction may be made, once more:

Provided that the stake shall not be auctioned for a price below the minimum determined by the Director.

(11) The auction of the stake locality which remains unauctioned under sub-rule (10) shall be cancelled by the Director.

(12) The stake locality, the auction whereof is cancelled under sub-rule (11), may be leased by the Director with or without auction if a request is made for leasing the same by any person:

Provided that the upset annual rent fixed for such stake locality shall be the minimum determined for the stake locality at the last auction:

Provided further that the period of lease of such fishing rights shall not exceed more than three years.

(13) In the first auction, the starting bid of the annual rent shall not be less than the actual enrolment (one rupee per interspace). In the second and third auctions, the minimum bid shall be the amount by which the concessions were auctioned in the first and second auctions respectively and after that the minimum bid shall be the amount by which the concession was auctioned during the previous auctions.

(14) When the Director considers that the maximum bid received in an auction is not in the interest of the Government he may cancel the auction and announce fresh auction. In the second auction, the

minimum bid to be fixed shall be the highest bid offered in the previous auction.

(15) The Director may, at the request of the lessee extend the lease period of stakes if such request is made before the 15th June of the year preceding the date of expiry of lease:

Provided that such extension shall not exceed three years:

Provided further that such extension shall not be granted unless the lessee pays 15% more than the earlier rent.

(16) The lessee against whom the previous dues are outstanding shall be allowed to participate in the auction or to seek extension only after clearing all such dues. The decision of the Director in this behalf shall be final.

(17) Every bidder shall deposit a sum of Rs. 100/- prior to the start of the auction. The amount thus deposited shall be refunded to all other than the successful bidder.

(18) The successful bidder shall deposit two thirds of the amount of the bid as security and execute a deed of lease in respect of the fishing stakes bidden by him within a period of 30 days from the date of the auction, failing which the Director may cancel the lease offered to him and the amount deposited under sub-rule (17) shall be forfeited to the Government and the stakes shall be put to auction again in accordance with these rules.

(19) The amount deposited under sub-rule (17) and (18) shall be refunded to the lessee after the expiry of the period of the lease.

(20) A co-operative society referred to in the proviso to sub-rule (1) of rule 7 shall be exempted from the payment of the security deposit under sub-rule (18).

8. *Manner of payment of annual rentals.* — (1) The annual rent payable by a person or a co-operative society to whom the lease of fishing by means of stakes has been granted under rule 7, shall be paid as follows:

(A) For stakes leased on first erection: —

(i) The amount deposited under sub-rule (6) of rule 7 shall be the first instalment of the annual rent payable for the first year of the lease of fishing by means of stakes.

(ii) The subsequent instalment shall be paid on or before such dates as may be fixed by Director.

(B) All other stakes leased or lease extended: —

(a) When the annual rent is less than Rs. 100/- the same shall be paid in one single instalment, the rent for the first year payable on the date of the execution of the lease under sub-rule (18) of rule 7 and subsequent annual rentals before the 30th January of every year.

(b) When the annual rentals exceed Rs. 100/- (One hundred only), the same shall be paid in three equal instalments on or before the last working day of the months of January, June and November of the respective year.

(2) If any instalment is not paid within the prescribed period, the defaulter shall be liable to pay in

addition to the rent, a sum equal to 5% of the instalment due, per month or part thereof for the delay in payment thereof.

(3) When a person is in arrears of two consecutive instalments, the lease of the fishing right shall be cancelled and the amount of the arrears shall be adjusted from the deposit made under sub-rules (17) and (18) of rule 7 and in case this amount is not sufficient to cover the arrears due, the balance shall be recovered as arrear of land revenue. The Director shall again auction the fishing rights allotted to such defaulter without prejudice to any action that may be taken against him.

(4) When there is a request from a lessee of a stake for reduction in the number of interspaces, the Director, after carrying out necessary investigations, may allow such reduction. The number of interspaces to be reduced shall be decided by the Director.

(5) When there is a request from the lessee of stake for the shifting of the stake from its existing position, the Director in consultation with the Captain of Ports, may permit such shifting.

9. *Forfeiture of stakes, nets etc.* — If any stake is erected in contravention of the provisions of these rules, or if fishing is done by means of stakes in contravention of the lease or fishing rights or after the expiry of the period of lease of fishing rights or after the cancellation of such lease or rights, the Director or any officer authorised by the Government in his behalf, shall be empowered to forfeit to the Government the fishing stakes, fishing nets or any other fishing gear found to have been used for the aforesaid acts and the person doing such acts shall also be liable for the payment of fines under rule 14.

PART IV

Nets

10. *Use of nets with certain mesh sizes prohibited.* — (1) No person shall use a net the mesh size whereof is less than 24 mm. for catching fish and 20 mm. for catching prawns:

Provided that nothing in this rule shall affect the use of purse-seine fishing gear having a stretched mesh size upto 15 mm. existing on the date of the publication of these rules:

Provided further that a person in possession of the aforesaid purse-seine net shall not replace the torn portion of such net by any net having stretched mesh size below 20 mm.

(2) If any person is found fishing with a net with the mesh size less than that permitted under sub-rule (1), such nets shall be confiscated by the Director or the person authorised by the Government in this behalf and the licence, if any, granted to such person shall be cancelled forthwith without prejudice to the penalty whereof may be imposed on him under rule 14.

(3) The nets used by the Central or State Governments for carrying out experimental or exploratory fishing are exempted from the provisions of sub-rule (1) above.

11. *Registration of nets.* — (1) Every person in possession of a fishing net shall within 15 days of acquiring such net, register his net with the Director and shall obtain a licence for operating the same. However, the fishing nets operated by the Central or State Governments are exempted from registration.

(2) The registration and the licence fee as specified in the Schedules I and II appended to these rules shall be payable for such registration and for obtaining licence. The licence shall be renewed on or before the 31st December every year or before the date of the expiry thereof.

(3) In the event of loss or destruction of a net already registered, the owner thereof shall forthwith intimate to the Director of such loss or destruction. The Director after satisfying himself of the genuineness of the case, shall cancel the registration of such nets.

(4) No person shall transfer a net registered in his name either by way of sale or otherwise without obtaining the prior permission of the Director.

(5) If any person is found in possession of an unregistered net, the same shall be confiscated by the Director or any other officer authorised by the Government in this behalf without prejudice to the penalty which may be imposed under rule 14.

(6) A net already registered under the provisions of any law for the time being in force shall be deemed to have been duly registered under these rules.

(7) The Director or any other person authorised by the Government in this behalf, may, at any time, enter any premises or building or any vessel to ascertain that no unregistered nets are kept therein.

(8) If the licence is not renewed within the time limit prescribed under sub-rule (2), the same shall be renewed on payment of late renewal charges at the rate of 5% for the first month or part thereof; 25% for the second month or part thereof; 50% for the third month or part thereof; 75% for the fourth month and part thereof and 100% from the fifth month onwards, of the licence fee prescribed in Schedule II. If the licensee fails to renew his licence on or before the 31st December of the year, the Director or any other officer authorised by the Government in this behalf, shall issue a notice to the party calling upon him to pay the amount due within 30 days of the receipt of the notice failing which the registration and licence shall be cancelled and the arrears recovered as arrear of land revenue.

(9) All registered nets shall be marked by a lead short or lead plate or any other suitable plate having letters M for the fishing nets registered in Mormugao, S - in Salcete, C - in Canacona, P - in Ponda, B - in Bardez, I - in Ilhas, N - in Pernem, D - in Daman and U - in Diu followed by registered number of the net and its length in metres. The lead short/lead plate will be supplied by the Director on payment of Rs. 2/-.

(10) The registration and licence fees payable under sub-rule (2) above shall be charged from the date of inspection of the nets in case of new registration.

(11) The Director or any officer authorised by the Government in this behalf, may inspect any net in the possession of any person and demand the

production of the licence issued therefor to ascertain that no unregistered nets are in the possession and used by a person.

(12) Any person who intends to obtain a licence under sub-rule (1) above, shall apply to the Director in Form "D" and the Director after registration of the net, shall issue the licence in Form "E". If the original licence issued is lost or damaged, a duplicate licence shall be issued on payment of Rs. 2/-.

(13) If any person, who is in possession of a fishing licence, desires to change the area of operation of his net as specified in the said licence, he may do so after obtaining the permission of the Director. An application therefor shall be made in Form "F". The Director, after considering the application, may authorise the concerned officer at the block level to effect the change in the area of operation in the licence issued to the person. Such changes shall be endorsed in Form "G" which shall form part of the licence issued in Form "E".

12. *Schedule of operation of fishing nets.* — (1) The Director may give schedule of operation of all fishing nets, such as, rampon, drag net etc., to the licensees for operating their nets.

(2) If any person contravenes any direction given under sub-rule (1), the Director or any person authorised by the Government in this behalf, shall seize and confiscate the fishing net without prejudice to the penalty that may be imposed on such person under rule 14. The Director may also cancel the licence forthwith and the fishing net seized thereby shall be forfeited to the Government.

(3) The authority competent to decide whether the schedule of operation is followed or not, shall be the Director or any other officer authorised by him in this behalf, by special or general order.

PART V

Miscellaneous

13. *Recovery of arrears.* — Any amount of arrears of any instalment of lease-rent, or any other sum due to the Government by or under any law in force regulating fisheries prior to the coming into force of these rules or by or under these rules, if not paid on the date fixed by the Director, shall be recovered as arrear of land revenue.

14. *Penalty.* — Whoever commits a breach of any of the provisions of these rules shall be punishable with fine, which may extend to one hundred rupees and in the case of continuing breach, with a further fine which may extend to ten rupees for every day after the date of the first conviction during which the breach is proved to have been continued.

15. *Delegation of powers.* — The Government may authorise any officer to exercise any or all powers under these rules.

SCHEDULE I

Fee for Net Registration

| | |
|---|-----------|
| 1. To fish with a drag/rawl net by motor driven vessel: | |
| (a) Drag/Trawl net upto a length of 15 metres | Rs. 10-00 |
| (b) Drag/Trawl net more than 15 metres in length | Rs. 15-00 |

| | | | | |
|--|-----------|--|--|-------------------------|
| 2. To fish with a drag net: | | | 6. To fish with a sluice gate net | Rs. 10-00 |
| (a) Upto 200 metres | Rs. 2-00 | | 7. To fish with a cast net | Rs. 2-00 |
| (b) For every 100 metres in excess upto 500 metres | Re. 1.00 | | 8. To fish with nets not specified | Rs. 2-00 |
| (c) For every 100 metres exceeding 500 metres or fraction thereof | Rs. 0-50 | | 9. To fish with traps for catching fish, prawns, lobsters, crabs or any other molluscs | Rs. 2-00 |
| 3. To fish on the river banks with barrier nets (Funtaunim): | | | 10. To fish with a set of hooks | Rs. 0-50 per every hook |
| (a) Net upto 200 metres | Rs. 2-00 | | 11. To fish with a purse-seine net by a motor driven vessel: | |
| (b) For every 100 metres in excess upto 500 metres | Re. 1-00 | | (a) Purse-seine net upto a length of 200 metres | Rs. 100-00 |
| (c) For every 100 metres exceeding 500 metres | Rs. 0-50 | | (b) For every 100 metres in excess or fraction thereof | Rs. 50-00 |
| 4. To fish with gill nets (suspension nets) in sea or river: | | | 12. To fish with doll nets: | |
| (a) Upto 200 metres | Re. 1-00 | | (a) Doll net upto a length of 200 metres | Rs. 10.00 |
| (b) For every 100 metres exceeding 200 metres or fraction thereof | Rs. 0-50 | | (b) For every 5 metres in excess or fraction thereof | Re. 1-00 |
| 5. To fish with a stake net | Rs. 5-00 | | 13. To fish with a stake net: | |
| 6. To fish with sluice gate net | Re. 1.00 | | (a) Stake net upto a length of 15 metres | Rs. 10-00 |
| 7. To fish with cast net | Rs. 0-50 | | (b) For every 5 metres in excess or fraction thereof | Re. 1-00 |
| 8. To fish with net not specified | Rs. 0-50 | | | |
| 9. To fish with traps for catching fish, prawns, lobsters, crabs or any other molluscs | Rs. 0-50 | | | |
| 10. To fish with a set of hooks | Rs. 0-25 | | | |
| 11. To fish with a purse-seine net by a motor driven vessel: | | | | |
| (a) Purse-seine net upto a length of 200 metres | Rs. 10-00 | | | |
| (b) For every 100 metres in excess of 200 metres or fraction thereof | Rs. 5-00 | | | |
| 12. To fish with doll nets: | | | | |
| (a) Doll net upto a length of 20 metres ... | Re. 1-00 | | | |
| (b) For every 5 metres in excess or fraction thereof | Rs. 0-50 | | | |
| 13. Title deed of the property of nets upto 500 metres | Re. 1-00 | | | |

SCHEDULE II

Fee for fishing Licence

| | |
|--|-----------|
| 1. To fish with a drag/trawl net by a motor driven vessel: | |
| (a) Drag/Trawl net upto a length of 15 metres | Rs. 40-00 |
| (b) Drag/Trawl net more than 15 metres in length | Rs. 60-00 |
| 2. To fish with drag net: | |
| (a) Upto 200 metres | Rs. 10-00 |
| (b) For every 100 metres exceeding 200 metres upto 500 metres or fraction thereof | Rs. 6-00 |
| (c) For every 100 metres exceeding 500 metres upto 1000 metres or fraction thereof | Rs. 8-00 |
| (d) For every 100 metres exceeding 1000 metres or fraction thereof | Rs. 15.00 |
| 3. To fish on the river banks with barrier nets (Funtaunim): | |
| (a) Net upto 200 metres | Rs. 8-00 |
| (b) For every 100 metres exceeding 200 metres upto 500 metres or fraction thereof | Rs. 10-00 |
| (c) For every 100 metres exceeding 500 metres or fraction thereof | Rs. 5-00 |
| 4. To fish with gill nets (Suspension nets) in Sea: | |
| (a) Upto 200 metres | Rs. 10-00 |
| (b) For every 100 metres or more or fraction thereof | Rs. 4-00 |
| 5. To fish with gill nets (Suspension nets) in rivers: | |
| (a) Upto 100 metres | Rs. 4-00 |
| (b) For every 100 metres or fraction thereof | Re. 1-00 |

FORM "A"

[See sub-rule (1) of rule 6]

To

The Director of Fisheries
Government of Goa, Daman and Diu,
Panaji-Goa.

Sir,

I ... (Full name) resident of ... (village) of ... (Taluka) hereby apply for permission to erect ... (number) of stake at ... (Approximate location). To the best of my knowledge the erection of the fishing stake applied for above conforms to the conditions mentioned in rule 3 of the Goa, Daman and Diu Fisheries Rules, 1981.

I am also depositing on this date an amount of Rupees three hundred as required under sub-rule (1) of rule 6 of the said Rules.

Yours faithfully,

Signature of the applicant

My address is as under:

... (Full name)
... (Village)
... (Taluka)
Post ... (nearest post office) ... District.

FORM "B"

[See sub-rule (3) of rule 6]

Notice

Notice is hereby given that Shri ... resident of ... has applied for ... grant of permission to erect ... (number) of fishing stakes at ... (exact location). Any person directly interested in the above may, within 15 days from the date of publication of this notice, send his objection, if any, either in respect of the fishing stakes or of the grant of permission to the applicant, to the Director of Fisheries, Panaji.

Panaji:

(Signature)

Date:

Director of Fisheries.

FORM "C"

[See sub-rule (5) of rule 6]

Permission for erection of fishing stakes

Permission is hereby granted to Shri ... resident of ... for erecting ... (number) fishing stakes at ... (exact location). Shri ... has paid Rs. 5/- (Rupees five only) as fee for grant of this permission as required under sub-rule (5) of rule 6 of the Goa, Daman and Diu Fisheries Rules, 1981.

Panaji:

(Signature)

Date:

Director of Fisheries.

FORM "D"

[See sub-rule (12) of rule 11]

Application for grant of fishing net licence/Registration

From:

(Name and full address of applicant)

To,

The Director of Fisheries,
Panaji.

Sir,

Please grant me a licence to operate net
(Type of net)
in after registering the same under the
(Locality/Area)
provisions of Goa, Daman and Diu Fisheries Rules, 1981.
Yours faithfully,

Note:— The locality/area may be specified in case of sea fishing indicating the shore and area where operated and in case of inland fisheries, the exact location of Khazan/ sluice gate, river, etc. as the case may be.

FORM "E"

[See sub-rule (12) of rule 11]

GOVERNMENT OF GOA, DAMAN AND DIU

Directorate of Fisheries

Panaji

FISHING NET LICENCE

REG. No.

DIRECTOR OF FISHERIES

(Facsimile signature)

Signature & Designation of

Issuing Officer at Block Level

Office of Registration

Licence No. (NEW)

I. Particulars of Licence

1. Name of licensee

2. Address

II. Particulars of Net

1. Type of net

2. Specification of net

Length

Breadth

Mesh size

Other particulars, if any

III. Place of Operation of net

1. Name of the specified area

for operation of net

2. Schedule for operation of net

No.

IV. Change size of net

1. Length

Amount paid

| Year | Licence fee | Registration fee | Fine | Total | Receipt No. | Total |
|------|-------------|------------------|---------|---------|-------------|---------|
| | Rs. Ps. | Rs. Ps. | Rs. Ps. | Rs. Ps. | | Rs. Ps. |

Transfer in ownership

1

2

3

N. B.— The fishing in the Union Territory of Goa, Daman and Diu shall be regulated as under:—

(a) The rampon operators including the non-mechanised traditional fishing crafts shall operate

freely without any restrictions. However, waters upto a distance of 5 Km. from the shore shall be reserved exclusively for those operating the rampon nets and non mechanised traditional fishing craft and no other type of vessels shall be allowed to fish within a distance of 5 Km. from the coast and in inland waters.

(b) Mechanised fishing vessels shall operate beyond 5 Km. line from the coast.

FORM "F"

[See sub-rule (13) of rule 11]

(Application for permission to change the area of operation of a net)

From:

(Name and full address of applicant)

To,

The Director of Fisheries,
Panaji.

Sir,

I am in possession of a ... net registered with your Department under No. ... for operating in ... (area). Now I intend to change the area of operation on the said net to ... (area). Necessary permission may please be given for the change of area of operation.

Yours faithfully,
Signature/L. H. T. I.

FORM "G"

[See sub-rule (13) of rule 11]

Transfer in Area of operation

1. Area of operation transferred to ... (new area) with effect from ...

Signature and Designation of the
Representative of Director of
Fisheries.

2. Area of operation transferred to ... (new area) with effect from ...

Signature and Designation of the
Representative of Directorate of
Fisheries.

3. Area of operation transferred to ... (New area) with effect from ...

Signature and Designation of the
Representative of Directorate of
Fisheries.

By order and in the name of the Lieutenant
Governor of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Forest and
Agriculture).

Panaji, 27th July, 1981.

Law Department (Establishment)

Notification

JCC/A-Misc-57/81/91

In exercise of the powers conferred by Article 227(2)(b) of the Constitution of India, Section 304(2) of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and all other powers enabling in that behalf and with the previous approval of the Government of the Union Territory of Goa, Daman and Diu, the Court of the Judicial Commissioner, Goa, Daman and Diu makes the following

Rules so as to amend the Goa, Daman and Diu (Judicial Commissioner's Court) Legal Aid to the Poor Rules, 1979, namely: —

1. These rules may be called the Goa, Daman and Diu (Judicial Commissioner's Court) Legal Aid to the poor (First Amendment) Rules, 1981.

2. They shall come into force on their publication in the Official Gazette.

Amendment to Explanation of Rule 3.

In explanation under Rule 3 for the words "more than Rs. 2500/-" the words "more than Rs. 3600/-" shall be substituted.

By order of the Court.

E. P. Lobo, Registrar Judicial Commissioner's Court.

Panaji, 29th June, 1981.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/B/7/1305/81

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 23rd July, 1981 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

THE GOA, DAMAN AND DIU APPROPRIATION BILL, 1981

(Bill No. 9 of 1981)

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services and purposes of the financial year 1981-82.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-second Year of the Republic of India as follows: —

1. **Short title.** — This Act may be called the Goa, Daman and Diu Appropriation Act, 1981.

2. **Issue of Rs. 1,10,31,16,000 out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the financial year 1981-82.** — From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu there may be paid and applied sums not exceeding those specified in column 5 of the Schedule, amounting in the aggregate [inclusive of the sums specified in column 5 of the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1981 (Bill No. 5 of 1981)] to the sum of one hundred ten crores thirty one lakhs and sixteen thousand rupees, towards defraying the several charges which will arise for payment during the financial year 1981-82 in respect of the services and purposes specified in column 2 of the Schedule.

3. **Appropriation.** — The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu, by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said financial year.

THE SCHEDULE

(See Sections 2 and 3)

| No. of Demand | Services and purposes | Sums not exceeding | | | Total |
|---------------|--|--------------------|---|-------------|-------|
| | | Voted by Assembly | Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu | | |
| 1 | 2 | 3 | 4 | 5 | |
| | | Rs. | Rs. | Rs. | |
| 1. | Union Territory Legislature and Elections — | | | | |
| | Revenue ... | 14,52,000 | 41,000 | 14,93,000 | |
| 2. | Miscellaneous General Services ... | | | | |
| | Revenue ... | 1,39,07,000 | 5,50,000 | 1,44,57,000 | |
| 3. | Administration of Justice — | | | | |
| | Revenue ... | 24,85,000 | 6,10,000 | 30,95,000 | |
| 4. | Land Revenue, Stamps and Registration — | | | | |
| | Revenue ... | 25,46,000 | — | 25,46,000 | |
| 5. | State Excise, Sales Tax and Other Taxes and Duties — | | | | |
| | Revenue ... | 35,21,000 | — | 35,21,000 | |
| 6. | Taxes on Vehicles — | | | | |
| | Revenue ... | 6,90,000 | — | 6,90,000 | |
| — | Interest Payments — | | | | |
| | Revenue ... | — | 7,51,73,000 | 7,51,73,000 | |
| 7. | Police and Fire Services — | | | | |
| | Revenue ... | 2,33,46,000 | — | 2,33,46,000 | |
| 8. | Jails — | | | | |
| | Revenue ... | 14,50,000 | — | 14,50,000 | |
| 9. | Stationery and Printing — | | | | |
| | Revenue ... | 49,50,000 | — | 49,50,000 | |
| 10. | Other General Services — | | | | |
| | Revenue ... | 22,34,000 | — | 22,34,000 | |
| 11. | Pension — | | | | |
| | Revenue ... | 1,33,50,000 | — | 1,33,50,000 | |
| 12. | Public Works, Housing and Urban Development — | | | | |
| | Revenue ... | 4,70,75,000 | 55,000 | 4,71,30,000 | |
| | Capital (including Loans) ... | 4,68,77,000 | — | 4,68,77,000 | |
| | Total ... | 9,39,52,000 | 55,000 | 9,40,07,000 | |
| 13. | Roads and Bridges — | | | | |
| | Revenue ... | 1,56,50,000 | — | 1,56,50,000 | |
| | Capital ... | 3,04,02,000 | — | 3,04,02,000 | |
| | Total ... | 4,60,52,000 | — | 4,60,52,000 | |

| 1 | 2 | 3 | 4 | 5 |
|---|--------------|-----|--------------|---|
| | Rs. | Rs. | Rs. | |
| 14. Education, Art and Culture — | | | | |
| Revenue ... | 13,62,57,000 | — | 13,62,57,000 | |
| Capital (including Loans) ... | 24,61,000 | — | 24,61,000 | |
| Total ... | 13,87,18,000 | — | 13,87,18,000 | |
| 15. Medical, Family Welfare and Public Health, Sanitation and Water Supply — | | | | |
| Revenue ... | 8,31,30,000 | — | 8,31,30,000 | |
| Capital ... | 3,30,00,000 | — | 3,30,00,000 | |
| Total ... | 11,61,30,000 | — | 11,61,30,000 | |
| 16. Information and Publicity — | | | | |
| Revenue ... | 14,49,000 | — | 14,49,000 | |
| 17. Labour and Employment — | | | | |
| Revenue ... | 65,48,000 | — | 65,48,000 | |
| 18. Social Security and Welfare, Relief on account of Natural Calamities and Food — | | | | |
| Revenue ... | 86,45,000 | — | 86,45,000 | |
| Capital (including Loans) ... | 9,01,40,000 | — | 9,01,40,000 | |
| Total ... | 9,87,85,000 | — | 9,87,85,000 | |
| 19. Cooperation and Community Development — | | | | |
| Revenue ... | 1,00,10,000 | — | 1,00,10,000 | |
| Capital (including Loans) ... | 60,11,000 | — | 60,11,000 | |
| Total ... | 1,60,21,000 | — | 1,60,21,000 | |
| 20. Other Economic Services and Mines and Minerals — | | | | |
| Revenue ... | 35,40,000 | — | 35,40,000 | |
| 21. Agriculture and Allied Services — | | | | |
| Revenue ... | 4,20,69,000 | — | 4,20,69,000 | |
| Capital (including Loans) ... | 3,94,30,000 | — | 3,94,30,000 | |
| Total ... | 8,14,99,000 | — | 8,14,99,000 | |
| 22. Irrigation and Power Projects — | | | | |
| Revenue ... | 11,18,00,000 | — | 11,18,00,000 | |
| Capital ... | 10,13,25,000 | — | 10,13,25,000 | |
| Total ... | 21,31,25,000 | — | 21,31,25,000 | |
| 23. Industries — | | | | |
| Revenue ... | 45,50,000 | — | 45,50,000 | |
| Capital (including Loans) ... | 1,19,51,000 | — | 1,19,51,000 | |
| Total ... | 1,65,01,000 | — | 1,65,01,000 | |

| 1 | 2 | 3 | 4 | 5 |
|---|--------------|--------------|----------------|---|
| | Rs. | Rs. | Rs. | |
| 24. Road and Water Transport Services (including Ports) — | | | | |
| Revenue ... | 96,20,000 | — | 96,20,000 | |
| Capital ... | 66,57,000 | — | 66,57,000 | |
| Total ... | 1,62,77,000 | — | 1,62,77,000 | |
| 25. Tourism — | | | | |
| Revenue ... | 47,50,000 | — | 47,50,000 | |
| Capital (including Loans) ... | 85,00,000 | — | 85,00,000 | |
| Total ... | 1,32,50,000 | — | 1,32,50,000 | |
| — Public Debt — | | | | |
| Capital (Public Debt) ... | — | 8,85,59,000 | 8,85,59,000 | |
| 26. Loans and Advances by the Union Territory Governments — | | | | |
| Capital (Loans and Advances) ... | 63,50,000 | — | 63,50,000 | |
| GRAND TOTAL ... | 93,31,28,000 | 16,49,88,000 | 1,10,31,16,000 | |
| Revenue ... | 55,50,24,000 | 7,64,29,000 | 63,14,53,000 | |
| Capital (including Public Debt and Loans) ... | 38,31,04,000 | 8,85,59,000 | 47,16,63,000 | |

Financial Memorandum

Provision is made in the Bill to appropriate for the services and purposes expressed in the Schedule during the financial year 1981-82 a sum of Rs. 1,10,31,16,000/-. This amount consists of Rs. 63,14,53,000/- on Revenue Account and Rs. 47,16,63,000/- on Capital Account including Public Debt and Loans and Advances and includes also the sums specified in the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1981 (Bill No. 5 of 1981) passed by this Assembly on 30th March, 1981.

Statement of Objects and Reasons

The Budget for the year 1981-82 was presented to the Legislative Assembly on 26th March, 1981. The Demands for Grants have since been discussed and voted by the Assembly. This Appropriation Bill is, therefore, introduced in accordance with the provisions of sub-section (1) of section 29 of the Government of Union Territories Act, 1963, to provide for the appropriation out of the Consolidated Fund of the Union territory of Goa, Daman and Diu, of the moneys required for the services during the financial year 1981-82.

The Administrator, has in pursuance of sub-section (1) of section 23 of the Act *ibid*, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

Panaji,
July, 1981.

PRATAPSINGH RAOJI RANE
Chief Minister

Assembly Hall,
Panaji,
23rd July, 1981.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa, Daman and Diu

LA/B/7/1297/81

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 21st July, 1981 is hereby published for general information in pursuance of the provisions of Rule 136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Money Lenders'
(Amendment) Bill, 1981
(Bill No. 10 of 1981)

A
BILL

to amend the Goa, Daman and Diu Money Lenders' Act, 1977.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-second Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Goa, Daman and Diu Money Lenders' (Amendment) Act, 1981.

(2) It shall come into force at once.

2. Amendment of section 7.—In section 7 of the Goa, Daman and Diu Money Lenders' Act, 1977 (7 of 1977) (hereinafter referred to as the 'Principal Act'), for the words "nine per cent" and "twelve per cent", the words "twelve per cent" and "fifteen per cent" respectively shall be substituted.

3. Amendment of section 11.—In clause (a) of sub-section (1) of section 11 of the Principal Act, the comma appearing after the words "relating to the loan" shall be omitted and after the word "or", the words "takes from any intending debtor any note, power of attorney or document which has a blank entry to be filled in at a later date, or" shall be inserted.

Statement of Objects and Reasons

Under the Goa, Daman and Diu Money Lenders' Act, 1977 (7 of 1977), the money lender is allowed interest at a rate not exceeding 9% per annum simple interest, where the loan is a secured loan or at a rate not exceeding twelve per cent per annum simple interest where the loan is not a secured loan, as the State Bank Advance Rate in the year 1977 was 13%.

The prevailing State Bank Advance Rate is 16½% and hence the need is felt to increase the rate of interest from 9% to 12% on secured loan and from 12% to 15% on unsecured loan. This Bill seeks to amend section 7 of the main Act accordingly.

The Government of India have also suggested to incorporate provision in our enactment so as to make it an offence for a money lender to take from any intending borrower any note or power of attorney or any document which may contain blank entry giving scope for interpolation or insertion of mischievously conceived entries at a later date.

This Bill also seeks to give effect to this suggestion.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is contemplated in this Bill.

Panaji,
3rd July, 1981.

PRATAPSINGH RANE
Chief Minister

Assembly Hall,
Panaji,
17th July, 1981.

M. M. NAIK
Secretary to the Legislative Assembly of Goa, Daman and Diu

(Annexure to Bill No. 10 of 1981)

The Goa, Daman and Diu Money Lenders'
(Amendment) Bill, 1981

The Goa, Daman and Diu Money Lenders' Act, 1977
(Act No. 7 of 1977)

7. Interest and charges allowed to money-lenders.—No money-lenders shall charge interest on any loan at a rate exceeding nine per cent per annum, simple interest, where the loan is a secured loan, or at a rate exceeding twelve per cent per annum, simple interest, where the loan is not a secured loan.

11. Money-lender advancing smaller amount or securing higher interest than that specified in the accounts, etc., to be punishable.—(1) Any money-lender whether licensed or not—

(a) who actually advances an amount less than the amount shown in his accounts or registers or other document relating to the loan, or

(b) who takes or receives interest or any other charge at a rate higher than the rate shown in the accounts, registers or documents aforesaid or allowed under this Act shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) If a money-lender is convicted of an offence under sub-section (1), the Court convicting him may cancel his licence as a money-lender.

Assembly, Hall,
Panaji,
17th July, 1981.

M. M. NAIK
Secretary to the Legislative Assembly of Goa, Daman and Diu